

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RAFAEL ENRIQUE JIMENEZ,  
Petitioner

v.

MICHAEL OVERMEYER, et al.,  
Respondents

No. 3:17cv1917

(Judge Munley)

(Chief Magistrate Judge Schwab)

FILED  
SCRANTON

APR 17 2019

ORDER

PER

DEPUTY CLERK

AND NOW, to wit, this 17th day of April 2019, we have before us for disposition Chief Magistrate Judge Susan E. Schwab's report and recommendation, which proposes that the petition for a writ of habeas corpus be denied.

No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the report and recommendation, we must determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); see also 28 U.S.C. § 636(b)(1); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice. Accordingly, it is hereby **ORDERED** as follows:

- 1) The Magistrate Judge's report and recommendation (Doc. 18) is **ADOPTED**;
- 2) The petition for a writ of habeas corpus (Doc. 1) is **DENIED**; and
- 3) The Clerk of Court is directed to close this case.

**BY THE COURT:**



**JUDGE JAMES M. MUNLEY**  
**United States District Court**